

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

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MARCELINO PEREA,

Plaintiff,

vs.

MORTGAGE INVESTORS GROUP,  
*et al.*,

Defendants.

Case No. 2:10-cv-1080-RLH-LRL

**ORDER**  
(Motion to Dismiss—#15)

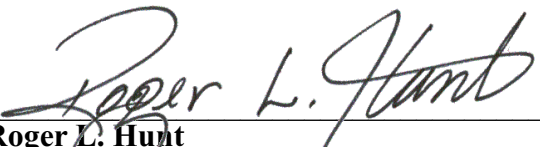
Before the Court is Defendants Mortgage Investors Group and Charles E. Tonkin's ("MIG Defendants") **Motion to Dismiss** (#15), filed September 1, 2010. No opposition has been filed. The MIG Defendants filed a **Notice of Non-Opposition** (#22), on August 25, 2010.

Local Rule 7-2(d) provides that failure to file points and authorities in opposition to a motion constitutes a consent that the motion be granted. *Abbott v. United Venture Capitol, Inc.* 718 F.Supp. 828, 831 (D. Nev. 1989). The local rules have the force of law, no less than the federal rules or acts of Congress. *United States v. Hvass*, 355 U.S. 570, 574-575 (1958); *Weil v. Neary*, 278 U.S. 160, 169 (1929); *Marshall v. Gates*, 44 F.3d 722, 723 (9<sup>th</sup> Cir. 1995). The United States Supreme Court itself has upheld the dismissal of a matter for failure to respond under the local court rules. *Black Unity League of Kentucky v. Miller*, 394 U.S. 100, 89 S. Ct. 766 (1969).

Moreover, the Motion has merit. Accordingly, the Motion will be granted on the merits and on the grounds of Perea's failure to file any opposition.

1 IT IS THEREFORE ORDERED that Defendants Mortgage Investors Group and  
2 Charles E. Tonkin's Motion to Dismiss (#15) is GRANTED, and the case is dismissed against those  
3 Defendants.

4 Dated: November 5, 2010.

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7 **Roger L. Hunt**  
8 **Chief United States District Judge**  
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